

**AMENDED**

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office. **FEB 08 1995**Returned to applicant for correction. **FEB 28 1995**Corrected application filed. **APR 25 1995**

Map filed July 24, 1941 under 8488 existing  
pod: May 23, 1947 under 11855 existing  
pou: April 25, 1995 Pro. pod/pou

The applicant. Douglas County

P.O. Box 218 of Minden  
Street and No. or P.O. Box No. City or Town

Nevada 89423 hereby make.s application for permission to change the  
State and Zip Code No.

Point of Diversion and Manner of Use  
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 8488 - Certificate 2935  
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and  
identify right in Decree.

1. The source of water is Lake Tahoe  
Name of stream, lake, underground spring or other source:

2. The amount of water to be changed 0.50 cfs  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for quasi-municipal  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for irrigation and domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point from which the SE corner of Section 9, T.13N.,  
Describe as being within a 40-acre subdivision of public survey and by course and  
R.18E., M.D.B.&M., bears S 82° 16' 19" E, 2150.29 feet (see attachment)  
distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within the NE 1/4 NE 1/4 of Section 10, T.13N., R.18E.,  
If point of diversion is not changed, do not answer.  
M.D.B.&M., or at a point from which the NE corner of said Section 10 bears  
N 27° 36' E, 1082.4 feet (South Zephyr Cove Creek).

7. Proposed place of use Lots 1 and 2 in Section 9 and Lot 2 and the SW 1/4 and a portion  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
SW 1/4 NW 1/4 of Section 10, all in T.13N., R.18E., M.D.B.&M., Douglas County, Nevada

8. Existing place of use Lots 1 and 2 in Section 9 and the SW 1/4 of Section 10 all in T.13N.,  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
R.18E., M.D.B.&M., Douglas County, Nevada  
manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day

10. Use was permitted from January 1 to December 31 of each year.  
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.) Ozone disinfection treatment plant and water  
State manner in which water is to be diverted, i.e. diversion structure,  
distribution system improvements  
ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$5,142,728

13. Estimated time required to construct works 2 years

14. Estimated time required to complete the application of water to beneficial use.....10 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

See attachment

By s/Chris M. Tschirhart  
Chris M. Tschirhart  
P.O. Box 218  
Minden, NV 89423

Compared sm/jk  
cl/bk

Protested

APPROVAL  
OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of the waters of South Zephyr Cove Creek to Lake Tahoe heretofore granted under Permit 8488, Certificate 2935 is issued subject to the terms and conditions imposed in said Permit 8488, Certificate 2935 and with the understanding that no other rights at the source shall be affected by the change proposed herein. A totalizing meter must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to a beneficial use. This permit is subject to the final allocation of the State of Nevada under the Calif.-Nev.-Interstate Compact Commission. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permit 11855, Certificate 5293 and Permit 60910 shall not exceed 229.1 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records must be kept of the water pumped from Lake Tahoe and placed to beneficial use and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.50 cubic feet per second, but not to exceed 171.4 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before October 16, 1997

Proof of completion of work shall be filed before November 16, 1997

Application of water to beneficial use shall be made on or before October 16, 2000

Proof of the application of water to beneficial use shall be filed on or before November 16, 2000

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed OCT 27 1998

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
State Engineer of Nevada, have hereunto set my hand and the seal of my  
office, this 16th day of October  
A.D. 1995  
State Engineer

## ATTACHMENT

Item 5

The point of diversion is in Lake Tahoe and a public survey of the Sectional Breakdown in the Lake is not available. Therefore, the 40-acre subdivision within which the point of diversion is located is not shown.

Item 15

The purpose of this Application is to move the water rights previously owned by the Zephyr Cove Water Company and now owned by Douglas County from South Zephyr Cove Creek to the intake in Lake Tahoe so that when the proposed improvements to the system are completed, the water rights for the new system are in order. Please use the map filed in support of Permit 8488 to show the existing point of diversion and the map filed in support of Permit 11855 to show the existing place of use.

STATE ENGINEER

APR 25 1995

dc:wat,rs

